

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

PAMELA JANE DINGESS,

Plaintiff,

v.

CIVIL ACTION NO. 3:13-12562

CAROLYN W. COLVIN,
Acting Commissioner of the
Social Security Administration,

Defendant.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny Plaintiff's motion for judgment on the pleadings (ECF No. 13), grant Defendant's motion for judgment on the pleadings as articulated in the Commissioner's brief (ECF No. 15), dismiss this action, with prejudice, and remove it from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and Court and **DENIES** Plaintiff's motion for judgment on the pleadings (ECF No. 13), **GRANTS** Defendant's motion for judgment on the pleadings as articulated in the

Commissioner's brief (ECF No. 15), **DISMISSES** this action, **with prejudice**, and removes it from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: July 14, 2014



ROBERT C. CHAMBERS, CHIEF JUDGE